

2 CCR § 1900

Cal. Admin. Code tit. 2, § 1900

Barclays Official California Code of Regulations [Currentness](#)

Title 2. Administration

Division 3. State Property Operations

Chapter 1. State Lands Commission

Article 1. General Provisions ([Refs & Annos](#))

➔§ 1900. Definitions.

The following definitions shall apply to this Chapter unless otherwise provided.

(a) The term "applicant" includes any person who files an application under these regulations.

(b) The term "person" includes any individual, firm, partnership, business entity, business trust, association, corporation, or governmental entity or agency.

(c) The term "lease" includes a permit, right-of-way, easement, license, compensatory agreement, or other entitlement of use.

(d) The term "structure" means any manmade construction.

(e) The term "sovereign lands" means the beds of all the State's natural, navigable waterways, and tide and submerged lands, including those adjacent to the coast and offshore islands of the State from the mean high tide line to three geographic miles offshore. On tidal waterways, the State's sovereign fee ownership extends landward to the mean high tide line, except for areas of fill or artificial accretion or where the boundary has been fixed by agreement or a court order. On navigable non-tidal waterways, including lakes, the State holds fee ownership of the bed of the waterway landward to the ordinary low water mark and a Public Trust easement landward to the ordinary high water mark, except where the boundary has been fixed by agreement or a court order.

~~(f)~~ (e) The term "submerged lands" means the area lying below the elevation of ordinary low water in the beds of all tidal and nontidal navigable waters.

~~(g)~~ (f) The term "tidelands" means the area lying between the elevations of ordinary low water and ordinary high water on lands subject to tidal action.

~~(h)~~ (g) The term "uplands" shall mean lands bordering on navigable waterways.

~~(i)~~ (h) The term "school lands" refers to all Sections 16 and 36 granted to the State for the benefit of common schools by Chapter 145 of the Federal Statutes of 1853.

~~(j)~~ (i) The term "lieu or indemnity lands" refers to those lands acquired by the State in place of school lands it previously acquired or school lands to which it did not receive title because they were either mineral in character, had not been sectionalized, or were subject to prior established rights.

~~(k)~~ (j) The terms "merchandise," "product" and "commodity" are interchangeable and shall include, goods, wares, chattels, personal property of every description, cargo, freight, mail, vessel's stores and supplies, articles, matter and material.

(l) The term "impact area" means a reasonable area beyond the footprint of the actual facilities or improvements occupying State land. The "impact area" is intended to reflect the additional and temporary use, as well as impacts to public access, of State land for the docking of vessels, maintenance of the facility, or other such uses.

(m) The following formula, hereafter called the "Adjustment Formula," shall be used to determine the adjusted minimum annual rent for each year subsequent to 2013:

$$\left( \frac{\text{Current CPI} - \text{Prior CPI}}{\text{Prior CPI}} + 1 \right) \times \text{Previous Year's Rent} = \text{Adjusted Annual Rent}$$

Field Code Changed

1. The June CPI value for All Urban Consumers in California will be used in the rent adjustment formula.

(n) The term "CPI" means the index published periodically by the California Department of Industrial Relations' and titled "California Consumer Price Index (1955) All Items 1982-1984 = 100," a successor index to the aforementioned, or a reasonably equivalent index acceptable to the Lessor and Lessee.

Note: Authority cited: Sections 6002, 6105, 6108, 6301, and 6501, Public Resources Code; and 3 Cal. 3d 462, 478 (tide and submerged lands). Reference: Sections 6301 and 6501, Public Resources Code.

#### HISTORY

1. Repealer of Article 1 (Sections 1900-1914) and new Article 1 (Sections 1900-1911) filed 6-2-78; effective thirtieth day thereafter (Register 78, No. 22). For prior history, see Registers 77, No. 6; 75, No. 22; 73, No. 9; 69, No. 15; 64, No. 23; 58, No. 5; 55, Nos. 12 and 25, No. 5.

2. Repealer of Article 1 (Sections 1900-1911) and new Article 1 (Sections 1900-1910 not consecutive) filed 12-2-81; effective thirtieth day thereafter (Register 81, No. 49).

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